

**ASSEMBLY BILL**

**No. 1594**

**Introduced by Assembly Member Umberg**

February 22, 2005

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An act to add Section 852 of the Military and Veterans Code, relating to military, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

AB 1594, as introduced, Umberg. Military service: California National Guard Surviving Spouses and Children Relief Act of 2004: death benefits.

Existing law requires the state to pay a \$10,000 death benefits to the surviving spouse or designated beneficiary of any member of the California National Guard, State Military Reserve, or Naval Militia who dies or is killed after March 1, 2003, in the performance of duty, as determined by the Military Department. Existing law provides, however, that those provisions will become operative upon an appropriation by the Legislature for the purpose of funding the payments of those military benefits.

This bill would appropriate the sum of \$190,000 from the General Fund to the Military Department for the purpose of paying those death gratuity benefits, as prescribed, to the families of those members who died or were killed after March 1, 2003, in the performance of duty.

This bill would declare that it is to take effect immediately as an urgency statute.

Vote:  $\frac{2}{3}$ . Appropriation: yes. Fiscal committee: yes. State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 852 is added to the Military and  
2 Veterans Code, to read:

3 852. There is hereby appropriated the sum of one hundred  
4 and ninety thousand dollars (\$190,000) from the General Fund to  
5 the Military Department for the purpose of paying death benefits,  
6 as prescribed by this chapter, to the families of members of the  
7 California National Guard, State Military Reserve, or Naval  
8 Militia who have lost their lives in the performance of duty, as  
9 determined by the Military Department.

10 SEC. 2. This act is an urgency statute necessary for the  
11 immediate preservation of the public peace, health, or safety  
12 within the meaning of Article IV of the Constitution and shall go  
13 into immediate effect. The facts constituting the necessity are:

14 In order to implement Chapter 547 of the Statutes of 2004 that  
15 requires the state to pay a \$10,000 death gratuity benefit to the  
16 surviving spouse or designated beneficiary of any member of the  
17 California National Guard, State Military Reserve, or Naval  
18 Militia who died or was killed in the performance of duty, as  
19 specified, and to immediately help those families that qualify for  
20 those benefits, it is necessary that this act take effect  
21 immediately.